

Hamilton County Plan Commission

August 10, 2004

Mr. Habig called the official meeting of the Hamilton County Plan Commission to order at 7:37 p.m.

Members Present: Frank Habig, Ron Hall, Steve Holt, David Musselman, Bill Rice, Steve Schwartz, Kent Ward, and Linda Williams. Absent: Jim Galloway. Also present: Charles Kiphart, Director; Randy Leerkamp, Legal Counsel; and Linda Burdett, Secretary.

Declaration of Quorum: Mr. Habig declared a quorum with eight out of nine members present.

Guests: See sign-in sheet.

Communications/Reports: Nothing to present.

Mr. Habig advised the board that at the last meeting the June minutes were approved but we didn't have enough for a quorum who had been at the meeting the month before. Mr. Hall arrived after the vote had been taken on the minutes. We will need to re-approve the June minutes.

Mr. Musselman **made a motion** to approve the June minutes.

Mr. Schwartz seconded.

With no further comments... Mr. Habig called for the vote. **6 yes votes... 0 no votes. 2 abstentions.** Mr. Holt and Mrs. Williams were not at the June meeting.

Mr. Habig asked for any corrections to last month's minutes.

Mr. Hall stated that there was a typo on page 3. [will be handling "our" not "out" account].

Mr. Ward **made a motion** to approve the minutes of 13 July 2004 with the correction Mr. Hall made.

Mr. Rice seconded

With no other corrections... Mr. Habig called for the vote. **5 yes votes... 0 no votes... 3 abstentions.** Mr. Habig, Mr. Rice, and Mrs. Williams were not at the meeting.

Public Comment: Mr. Habig opened the floor to anyone wishing to address the board. And with no one stepping forward... Mr. Habig continued the meeting.

President's Report: Nothing to present.

Mr. Habig moved on to passing on a recommendation to the county commissioners for a re-zone on **PC-ReZone-0006-08-2004** concerning the re-zone of 9.242 acres from an existing Agr. / FPD (Agricultural/ Large lot residential Flood Plain District) to a C-1 / FPD District (Commercial / Flood Plain District).

Teresa Bartlett stated her name for the record. The property we are requesting the re-zone for has been a commercial corner for close to 75 years. The way I understand it, in the early days it was a trading post and then a truck stop and restaurant. It changed hands in 1999 and the owners had some issues and were not able to keep the business going. It was operating prior to zoning all along. It has been vacant for close to five years. We have spoken to many of the neighbors and farmers in the area. They say they would love to see it back in operation. And that is what we hope to achieve.

Mr. Ward asked Mr. Kiphart...the aerial photograph shows the building outside of the flood plain?

Mr. Kiphart stated that was correct.

Mr. Hall asked for clarification that the existing flood plain zone would not be changed. You are only changing the zoning for the part that is now zoned agricultural?

Ms. Bartlett answered correct.

Mrs. Williams asked if the area that was once the truck stop; is that what went back to agricultural?
(2) So it would be just bringing back that area to commercial?

Mr. Kiphart answered yes. (2) Correct.

Ms. Bartlett stated that the building needed a face lift pretty bad.

Mrs. Williams asked Ms. Bartlett if she was going to have fuel or just a restaurant.

Ms. Bartlett answered... just a restaurant. No intentions for any fuel.

Mr. Hall stated that he was sure Ms. Bartlett was aware of the county highway department's comments on the road right-of-way. Do you agree to make the dedications as per the highway department? (2) These are according to our Thoroughfare Plan.

Ms. Bartlett stated that she had hoped that that could be discussed a little further with the county commissioners. (2) The concern is the request for the widening of the road and the acceleration/deceleration lanes at the petitioner's expense. There are not funds available to do that. It would kind of kill the deal if that needed to be done. One option is to possibly close those entrances at this time. Therefore it is not use of the county road. The state highway department does not have an issue with

their entrances. Perhaps when the budget would allow, maybe the entrances could be re-opened if that would be acceptable. That would cut down the traffic flow on that side and perhaps allow the project to continue.

With no further questions from the board... Mr. Habig opened the hearing to the public at 7:45 p.m.

Marcia Finkbiner, of 27465 Dunbar Road, stated her name and address for the record. I live just around the corner from the café. I think it would be a real asset to the neighborhood. It would have all the junk cleaned up that people dump all the time. The boot company will have a number of people so this will give them a place to eat. It makes a real commercial corner and it is in keeping with the long range plan for that area.

Dick Egler, of 65 East 276th Street, stated his name and address for the record. I live about a mile west of the subject property and I do own property directly north of that. I think it would also be an asset to the community. It would be nice to have a spot to stop into in the evening and a business that could grow there. It appears to be much better as an ongoing business rather than a run-down building. Thank you.

With no one else stepping forward to address the board... Mr. Habig closed the public portion of the hearing at 7:48 p.m.

Mr. Ward **made a** recommendation that we carry forward to the county commissioners with this particular item with a **positive recommendation**.

Mr. Schwartz seconded.

Mr. Habig stated that when he moved out to the Sheridan area back in the early '70's I spent a lot of time at the Mid-way. I always hated to see the place close and it's been going down hill since its been empty. I think what I see in this picture here is something that is badly needed out there.

Mrs. Williams agreed. In the township that I represent there is commercial already out there. There is a nice store that they are enlarging and there is nothing out there for a very long distance. I think it would be very nice for the area.

Mr. Hall stated that he felt that this was in keeping with the comprehensive plan. It is also a piece of property that while the ag. zoning was a function and our ordinance caused the reversion... it is not a piece of property that makes sense as an agricultural piece of property. I think this is by far a better use to have it developed along the line with the comprehensive plan. I like the idea that you'll still call it the Mid-way too. I think that is really positive.

Mrs. Williams asked about the clean-up of the gas tanks.

Mr. Kiphart stated that he believed that the previous owner had a Phase I study of that done. When they

come in for the building permit they will need a copy of that.

Mr. Holt encouraged the petitioner... instead of offering to close that entrance on the east/west road, go down and talk to engineering and explain your financial situation and discuss the potential for getting a variance from having to do what the ordinance requires of you.

After minimal comments... Mr. Habig called for the vote. **8 yes votes... 0 no votes.**

Old Business: Nothing to present.

Director's Report: Mr. Kiphart advised the board that last Thursday we had the second comprehensive plan meeting at the 4-H building. By the time we left there were 30 some people at the meeting. They did the visual preference survey and to the best of my knowledge everyone there filled out the form as they went along. We got about 65 questionnaires filled out by people. Those were given to the consultants and they are going to analyze them. We sent out over 293 questionnaires in the mail and some were passed out in the office. The next meeting will be in approximately six weeks. It will be in Wayne Township. I was thinking about the Durbin School if they are willing to entertain us being there.

Mr. Habig stated he thought it went really well. The question and answer thing got kind of side-swiped with annexation.

Mr. Kiphart added... and how can we preserve ag. land.

There seemed to be some concern with the public about exactly where does the comprehensive plan apply.

Mr. Hall stated he was very impressed with seeing the detail, the procedure, they went through to arrive at all the pieces of the comprehensive plan coming together and the process really validated a strong approach to doing the comprehensive plan.

Mr. Kiphart stated that in Edge City they were improving a major state road, they had several environmental factors, and the same kind of people we do. Ones that want to develop and the ones that want to preserve farmland as long as they can. I think the plan commission members got more out of it than the public did.

Mrs. Williams stated she was concerned people got lost because they referred to Chicago so much. I heard a lot of rumbling that we don't want to become Chicago. Maybe they also need to look at health issues that we face.

Mr. Kiphart stated that he would pass the comments along to them.

Mr. Hall stated he felt they were good facilitating and handling questions dealing with what the comments were and keeping the meeting going and not getting bogged down in something.

Mr. Kiphart stated that he was hoping for more of a round table discussion when they got out into the townships. A little less formal and a little more inter-reactive.

Legal Counsel Report: No report.

The next Plan Commission meeting will be held September 14, 2004.

With nothing further on the agenda... Mr. Habig adjourned the meeting at 7:59 p.m.

Frank Habig, President

Date

Linda Burdett, Secretary

Date